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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,604	08/30/2000	Thomas J. Krutsick	5	9105
7590 LAW FIRM OF PETER V. D. WILDE 301 EAST LANDING WILLIAMSBURG, VA 23185			EXAMINER SEFER, AHMED N	
		ART UNIT 2826	PAPER NUMBER	
			MAIL DATE 11/16/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/650,604	KRUTSICK, THOMAS J.
	Examiner A. Sefer	Art Unit 2826

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 27 August 2007.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 28-30 and 32-42 is/are pending in the application.  
 4a) Of the above claim(s) 28-30 and 32-35 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 36-42 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Group II (claims 36-42) in the reply filed on 8/28/2007 is acknowledged.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 depends from a withdrawn claim 28 and there is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 36-39, 41 and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by

Kondo USPN 4,609,935

Kondo discloses a method for the manufacture of an integrated circuit including a field plated resistor comprising:

- a) forming a resistor body 35 (fig. 6) in a semiconductor substrate, the resistor body having first and second contact regions 40-1/40-2 (fig. 7);
- b) a first insulating layer (col. 6, lines 46-49) over the resistor body (fig. 7), the first insulating layer approximately coextensive with the resistor body and having a top surface and a bottom surface;
- c) forming a contact window in the first insulating layer (col. 6, lines 46-49) and extending from the top surface of the first insulating layer through the first insulating layer through the first insulating layer to the resistor body;
- d) forming a field plate 36 (fig. 6 and col. lines 51-53) comprising polysilicon (**as recited in claim 37**) on the first insulating layer and approximately coextensive therewith and with the resistor body, the field plate having a top surface and a bottom surface, with a portion of the bottom surface 39-2 extending through the contact window in the first insulating layer and into contact with the first contact region of the resistor;
- e) depositing a second insulating layer 42, with a first portion of the second insulating covering the field plate,
- f) depositing a metal layer 44, with a portion of the metal layer covering the first portion of the second insulating layer,
- g) patterning said portion of the metal layer to form

i) an electrical contact 44-1/44-2/44-3 to the top surface of the field plate, and a plurality of metal conductors 44-4/44-5 (figs. 9 and 10) formed on the first portion of the second insulating layer.

Re claim 38, Kondo discloses first (oxide film under layer 33, not shown; see lines 46-49) and second 42 insulating layers comprising  $\text{SiO}_2$ .

Re claim 39, Kondo discloses forming an insulative spacer 38 formed around the field plate.

Re claim 41, Kondo discloses an electrical contact 44-2 to the top surface of the field plate overlying the portion of the bottom surface of the field plate that extends through the portion of the bottom surface of the field plate that extends through the contact window in the first insulating layer and into contact with the first contact region 40-1 of the resistor.

Re claim 42, Kondo discloses the metal layer being additionally patterned to form an electrical contact 44-3 to the second contact region 40-2 of the resistor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Sefer whose telephone number is (571) 272-1921.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sue Purvis can be reached on (571) 272-1236.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANS  
November 9, 2007

  
A. Sefer  
Patent Examiner  
Art Unit 2826